

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN A. LINK,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Cause No. 4:10 CV 2251 RWS

MEMORANDUM AND ORDER

This matter is before me on a Report and Recommendation that the decision of the Commissioner be reversed and remanded to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405 (g). Neither of the parties has filed an objection to this recommendation.

This matter was referred to United States Magistrate Judge Lewis M. Blanton for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Blanton issued a Report and Recommendation on November 4, 2011 that recommended that the decision of the Commissioner be reversed and remanded to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405 (g). Judge Blanton found that the Administrative Law Judge's ("ALJ") residual functional capacity determination is not supported by substantial evidence. Judge Blanton recommended this matter be reversed and remanded to the ALJ in order for the ALJ to obtain additional medical evidence that addresses Plaintiff's ability to function in the workplace, and formulate a new functional capacity for Plaintiff based on the medical evidence in the record.


Any objections to Judge Blanton's Report and Recommendation had to be filed by

November 11, 2011. Neither of the parties has filed an objection as of today's date.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Blanton is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

Pursuant to sentence four of 42 U.S.C. § 405 (g), the decision of the Commissioner is **REVERSED** and this case is **REMANDED** to the Commissioner for further proceedings consistent with the Report and Recommendation.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 28th day of November, 2011.